

DETAILED ACTION

Response to Amendment

1. The Office Action has been made issued in response to amendment filed July 6, 2010. Claims 2, 4-10, 12-14, 16-18, 20-21, 23-24, 26, 28, 29, 31 32-33 and 36-40 are pending.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sheridan Neimark (Reg #: 20, 520) on July 13, 2010.

The application has been amended as follows:

In line four of claim 2 between the words 'imaging' and 'a', insert the phrase "by an imaging sensor", [[imaging by an imaging sensor a predetermined ...]].

In line eleven of claim 2, add the word 'and' after the semicolon, [[...animal; and]]

In line twelve of claim 2, replace the phrase "a dairy" with the word 'the', [[...of a dairy the cow.]]

Allowance

3. Claims 2, 4-10, 12-14, 16-18, 20-21, 23-24, 26, 28, 29, 31 32-33 and 36-40 now renumbered claims 1-29 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: None of the cited prior art teaches or fairly disclose "determining a body condition score of a dairy cow, said region of interest including at least one of the following body parts: a rear part of the cow in the vicinity of its tail head and at least one of the dorsal parts of the cow".

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Inquiries

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDRAE S. ALLISON whose telephone number is (571)270-1052. The examiner can normally be reached on Monday-Friday, 8:00 am - 5:00 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7223. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vu Le/
Supervisory Patent Examiner, Art Unit 2624

/A. S. A./
Examiner, Art Unit 2624

/Anand Bhatnagar/

Primary Examiner, Art Unit 2624

July 31, 2010